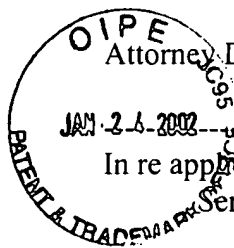


RECEIVED

FEB 14 2002

#70

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER



Attorney Docket No.: 727-002c

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
Serizawa

Examiner: Armando, Rodriguez

Serial No: 09/769,915

Art unit: 2877

Filed: January 25, 2001

For: CONTROL METHOD AND APPARATUS FOR STABILIZING OPTICAL
WAVELENGTH

-----X
**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
OVER A PRIOR ART PATENT**

The owner, Hitachi, Ltd, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,212,210. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

- ☐ 1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

01/29/2002 CCHAU1 00000034 09769915

02 FC:148

110.00 OP

TERMINAL DISCLAIMER
APPROVED

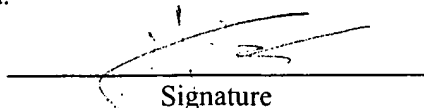
1

FEB 14 2002
TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereupon.

☒ 2. The undersigned is an attorney of record.

12/29/01
Date


Signature

Joseph Sofer Reg. No. 34,438
Typed or printed name

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included. Applicant hereby authorizes that the \$110.00 disclaimer fee, and any other fees deemed necessary, be charged to Deposit Account No. 19-2825, Reference No. 655-016c2.

☐ unchanged.

☐ changed (if changed, an explanation should be supplied).